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Human resources management

Amendments to the Staff Rules

Report of the Secretary-General

Summary

Consistent with staff regulation 12.3, the present report contains the full text of new rules and amendments to existing rules that the Secretary-General proposes to implement as from 1 January 2008. The report also provides the rationale for those amendments.

The Secretary-General recommends that the General Assembly take note of the amendments to the Staff Rules set out in the annex to the present report.

* A/62/150.

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1. Staff regulation 12.3 provides that the full text of provisional staff rules and amendments should be reported annually to the General Assembly.

2. Unless otherwise indicated, the proposed amendments contained in the annex to the present report will be effective from 1 January 2008.

A. 100 series

3. Rule 103.20 (e) (i), Education grant, is amended to provide that the grant shall be payable for up to four years of post-secondary studies.

4. Rule 105.3 (d) (iii), Home leave, is amended to provide that staff members should be able to travel to a country other than the country of their nationality for home leave if they have close family or personal ties in that country.

5. Rule 107.13, Terminal expenses, is amended to indicate that terminal expenses will be paid at rates and under conditions established by the Secretary-General.

6. Rule 107.19 (ii) and (v), Miscellaneous travel expenses, is amended to update the list of expenses for which advance authorization is required.

7. Rule 107.21 (b) and (g), Excess baggage and unaccompanied shipments, is amended to allow for one bag in addition to the free baggage allowance or up to 25 kilograms per traveller and to allow the shipment entitlements for inward and outward journeys to be combined.

8. Rule 107.23, Travel advances, is amended to include the possibility of a 100 per cent travel advance to staff members on official travel status for travel subsistence allowance and terminal expenses.

B. 200 series

9. Rule 203.8 (d) (i), Education grant, is amended to provide that the grant shall be payable for up to four years of post-secondary studies.

10. Rule 205.2 (c), Home leave, is amended to provide that project personnel should be able to travel to a country other than the country of their nationality for home leave if they have close family or personal ties in that country.

11. Rule 207.15, Terminal expenses, is amended to indicate that terminal expenses will be paid at rates and under conditions established by the Secretary-General.

12. Rule 207.19, Miscellaneous travel expenses, is amended to update the list of expenses for which advance authorization is required.

13. Rule 207.20 (b) and (h), Excess baggage and unaccompanied shipments, is amended to allow for one bag in addition to the free baggage allowance, or up to 25 kilograms per traveller, and to allow for the shipment entitlements for inward and outward journeys to be combined.

14. Rule 207.22, Travel advances, is amended to include the possibility of a 100 per cent travel advance to project personnel on official travel status for travel subsistence allowance and terminal expenses.

C. 300 series

15. Rule 307.6, Excess baggage and unaccompanied shipments, is amended to allow for one bag in addition to the free baggage allowance or up to 25 kilograms per traveller and to allow for the shipment entitlements for inward and outward journeys to be combined.

D. Appendix B to 100 series

16. The appendix B applicable to the United Nations Office at Vienna/United Nations Office on Drugs and Crime is new, following a recommendation of the Office of Internal Oversight Services that the United Nations Office at Vienna/United Nations Office on Drugs and Crime establish its own appendix B rather than use the appendix B of the United Nations Industrial Development Organization, which had been applied previously by the United Nations Office at Vienna/United Nations Office on Drugs and Crime.

17. **The Secretary-General recommends that the General Assembly take note of the amendments to the Staff Rules set out in the annex to the present report.**

Annex

Amendments to the Staff Rules

A. 100 series

Rule 103.20
Education grant

...

Duration

(e) (i) The grant shall be payable up to the end of the school year in which the child completes four years of post-secondary studies;

Rule 105.3
Home leave

...

(d) The country of home leave shall be the country of the staff member's nationality, subject to the following terms, conditions and exceptions:

...

(iii) The Secretary-General may authorize:

a. A country other than the country of nationality as the home country, for the purposes of this rule, in exceptional and compelling circumstances. A staff member requesting such authorization will be required to satisfy the Secretary-General that the staff member maintained normal residence in such other country for a prolonged period preceding his or her appointment; that the staff member continues to have close family and personal ties in that country; and that the staff member's taking home leave there would not be inconsistent with the purposes and intent of staff regulation 5.3;

b. Home leave travel to a country other than the home country, subject to conditions established by the Secretary-General. In such a case, the travel expenses borne by the United Nations shall not exceed the cost of travel to the home country.

...

Rule 107.13
Terminal expenses

(a) For all official travel to or from the duty station, a staff member is entitled to payment of terminal expenses at rates and under conditions established by the Secretary-General. Terminal expenses shall be deemed to cover all expenditures for transportation and incidental charges between the airport or other point of arrival or departure and the hotel or other place of dwelling in respect of the staff member himself or herself and in respect of each family member authorized to travel at United Nations expense, except the costs provided for under rule 107.19 (iii).

(b) No terminal expenses shall be paid in respect of an intermediate stop that:

(i) Is not authorized;

(ii) Does not involve leaving the terminal; or

(iii) Is exclusively for the purpose of making an onward connection.

...

Rule 107.19
Miscellaneous travel expenses

Necessary additional expenses incurred by a staff member in connection with the transaction of official business or in the performance of authorized travel shall be reimbursed by the United Nations after completion of travel, provided that the necessity and nature of the expenses are satisfactorily explained and supported by proper receipts, which shall normally be required for any expenditures in excess of $20.00. Such expenses, for which advance authorization shall be obtained to the extent practicable, shall normally be limited to:

...

(ii) Telephone or other forms of communication required for official business;

...

(v) Text processing services or rental of equipment required for the preparation of official reports or correspondence;

...

Rule 107.21
Excess baggage and unaccompanied shipments

...

(b) Staff members travelling by air shall be entitled to reimbursement of the cost of excess baggage for themselves and their eligible family members for one bag in addition to their free baggage allowance or up to 25 kilograms per traveller.

...

(g) When the authorized travel is by air or by land, charges for unaccompanied shipment of personal effects or household goods relating to travel on home leave, family visit or education grant may be reimbursed up to a maximum of:

(i) 50 kilograms, or 0.31 cubic metres, by the most economical means, per person, except as provided in subparagraph (ii) below. At the request of the staff member, this entitlement may be converted to 10 additional kilograms of accompanied excess baggage per person;

(ii) 200 kilograms, or 1.24 cubic metres, by the most economical means, for travel on education grant in regard to the first outward journey to, and the final return journey from, an educational institution;

(iii) For the purposes of this rule, the shipment entitlements associated with incoming and outgoing journeys may be combined and exercised in whole or in part as one shipment provided the total is within the combined entitlement.

...

Rule 107.23
Travel advances

Staff members authorized to travel shall provide themselves with sufficient funds for all current expenses by securing an advance of funds if necessary. An advance of 100 per cent of travel subsistence allowance and terminal expenses payable under these Rules may be made on the basis of the estimate and certification from the appropriate certifying officer.

;"

...

B. 200 series

Rule 203.8
Education grant

...

Duration

(d) (i) The grant shall be payable up to the end of the school year in which the child completes four years of post-secondary studies;

...

Rule 205.2
Home leave

...

(c) The country of home leave shall be the country of the project personnel's nationality, subject to the following terms, conditions and exceptions:

...

(iii) The Secretary-General may authorize:

a. A country other than the country of nationality as the home country, for the purposes of this rule, in exceptional and compelling circumstances. An individual requesting such authorization will be required to satisfy the Secretary-General that he or she maintained normal residence in such other country for a prolonged period preceding his or her appointment; that the individual continues to have close family and personal ties in that country; and that his or her taking home leave there would not be inconsistent with the purposes and intent of staff regulation 5.3;

b. Home leave travel to a country other than the home country, subject to conditions established by the Secretary-General. In such a case, the travel expenses borne by the United Nations shall not exceed the cost of travel to the home country.

...

Rule 207.15
Terminal expenses

(a) For all official travel to or from the duty station, project personnel are entitled to payment of terminal expenses, at rates and under conditions established by the Secretary-General. Terminal expenses shall be deemed to cover all expenditures for transportation and incidental charges between the airport or other point of arrival or departure and the hotel or other place of dwelling in respect of the project personnel himself or herself and in respect of each family member authorized to travel at United Nations expense, except the costs provided for under rule 207.19 (iii).

(b) No terminal expenses shall be paid in respect of an intermediate stop:

(i) Which is not authorized;

(ii) Which does not involve leaving the terminal; or

(iii) Which is exclusively for the purpose of making an onward connection.

...

Rule 207.19
Miscellaneous travel expenses

Necessary additional expenses incurred by project personnel in connection with the transaction of official business while in the performance of authorized travel shall be reimbursed by the United Nations after completion of travel, provided that the necessity and nature of the expenses are satisfactorily explained and supported by proper receipts, which shall normally be required for any expenditures in excess of $20.00. Such expenses, for which advance authorization shall be obtained to the extent practicable, shall normally be limited to:

...

(ii) Telephone or other forms of communication required for official business;

...

(v) Text processing services or rental of equipment required for the preparation of official reports or correspondence;

...

Rule 207.20
Excess baggage and unaccompanied shipments

...

(b) Project personnel travelling by air shall be entitled to reimbursement of the cost of excess baggage for themselves and their eligible family members for one bag in addition to their free baggage allowance or up to 25 kilograms per traveller.

...

(h) When the authorized travel is by air or by land, charges for unaccompanied shipment of personal effects or household goods relating to travel on home leave, family visit or education grant may be reimbursed up to a maximum of:

...

(i) 50 kilograms, or 0.31 cubic metres, by the most economical means, per person, in respect of each journey, except as provided in subparagraph (ii) below. At the request of the individual, this entitlement may be converted to 10 additional kilograms of accompanied excess baggage per person;

(ii) 200 kilograms, or 1.24 cubic metres, by the most economical means, for travel on education grant in regard to the first outward journey to, and the final return journey from, an educational institution;

(iii) For the purposes of this rule, the shipment entitlements associated with incoming and outgoing journeys may be combined and exercised in whole or in part as one shipment provided the total is within the combined entitlement.

...

Rule 207.22
Travel advances

Project personnel authorized to travel shall provide themselves with sufficient funds for all current expenses by securing an advance of funds if necessary. An advance of 100 per cent of travel subsistence allowance and terminal expenses payable under these Rules may be made on the basis of the estimate and certification from the appropriate certifying officer.

...

C. 300 series

Rule 307.6
Excess baggage and unaccompanied shipments

...

(b) Staff members travelling by air shall be entitled to reimbursement of the cost of excess baggage for one bag in addition to their free baggage allowance or up to 25 kilograms per traveller.

D. Appendix B to 100 series United Nations Office at Vienna/United Nations Office on Drugs and Crime

Appendix B

I. Hours of work

Pursuant to staff rule 101.4, normal working hours at the United Nations Office at Vienna/United Nations Office on Drugs and Crime are Monday to Friday

from 0830 hours to 1730 hours, with an interruption of one hour for lunch (i.e., 40 hours per week); summer hours (14 weeks, beginning the first Monday in June) are from 0800 hours to 1630 hours, with an interruption of one hour for lunch (i.e., 37.5 hours per week).[a] Staff members may be authorized to work flexible hours, in such units and under conditions as may be determined by the Director-General/Executive Director of the United Nations Office at Vienna/United Nations Office on Drugs and Crime.

II. Official holidays

Pursuant to staff rule 101.4, official holidays at the United Nations Office at Vienna/United Nations Office on Drugs and Crime shall be New Year's Day (1 January); Good Friday; Easter Monday; Labour Day (Tag der Arbeit, 1 May); Whit-Monday (Pfingstmontag); Austrian National Day (26 October); Christmas Day (25 December); St. Stephen's Day (26 December); Aid al Adha; and Aid al Fitr. If any such day occurs on a Saturday or Sunday, the preceding Friday shall be considered an official holiday in lieu of Saturday, and the following Monday in lieu of Sunday.

III. Local recruitment

The following staff members in the General Service category shall be regarded as having been locally recruited in accordance with staff rule 104.6 and shall not be eligible for international benefits as provided under staff rule 104.7:

(i) Nationals of Austria and persons who have been granted permanent residence in Austria;

(ii) Persons whose presence in Austria is due to the employment or permanent residence of the spouse;

(iii) Persons who, at the time of their appointment, have been living in Austria for more than one year or have been gainfully employed in Austria for a total of six months or more during the 12 months preceding their appointment, it being understood that:

a. Intermittent temporary departure shall not be considered to have interrupted the stay or employment;

b. Presence due to employment on a recognized international basis will not be taken into account in determining eligibility for international recruitment. For the purpose of this appendix, employment on a recognized international basis means employment with the United Nations, a specialized agency or the International Atomic Energy Agency, embassies, consulates, government missions and governmental international organizations, if the person has been granted the benefits stipulated by the employer for internationally recruited staff. Presence due to employment with a business concern will be considered individually;

(iv) Persons recruited to serve in posts normally filled locally.

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[a] In some units, the break for lunch may be half an hour, depending on the work schedule. However, the number of hours worked remains the same.

A staff member regarded as having been locally recruited under subparagraph (iv) above and who is not excluded from eligibility for international benefits under subparagraphs (i) to (iii) above shall be considered as having been internationally recruited and shall be eligible for the allowances and benefits provided in staff rule 104.7, if he or she is reassigned, after an appropriate examination, to a post within the General Service category that otherwise, in the opinion of the Director-General/Executive Director, would have to be filled by recruitment from outside Austria.

IV. Overtime work

Pursuant to staff rule 103.12, staff members in the General Service category who are required to work overtime shall be given compensatory time off or may receive additional payment in accordance with the following provisions:

(i) "Overtime" means time worked in excess of the scheduled work day or in excess of the scheduled work week or on an official holiday, provided that such work has been authorized by the appropriate official;

(ii) "Scheduled work day" means the number of working hours in effect on any day of the scheduled work week, less one hour for a meal;

(iii) "Scheduled work week" means the period of five working days assigned to the staff member during seven consecutive calendar days;

(iv) Compensation for overtime shall be reckoned to the nearest half hour; overtime of less than one half-hour on any day of the scheduled work week shall be disregarded;

(v) Overtime shall, to the maximum extent possible, be compensated by the granting of compensatory time off. Compensatory time off should normally be taken within a period of four months after it has been accrued, subject to exigencies of service;

(vi) When the scheduled work day is less than eight hours, compensation for overtime up to a total of eight hours of work on the same day shall take the form of an equal amount of compensatory time off;

(vii) Overtime in excess of the basic work day between 0600 and 2000 hours (regular overtime) shall be compensated by equal time off or, where this is not possible, by an additional payment at one and a half times the rate of the aggregate of the staff member's net base salary and language allowance, if any;

(viii) Overtime on Saturdays, Sundays and official holidays and between 2000 hours and 0600 hours during the normal work week (special overtime) shall be compensated by compensatory time off at a one and a half time rate or, where this is not possible, by compensation at twice the rate of the aggregate of the staff member's net base salary and language allowance, if any. This provision shall not apply when staff members are required to work on a holiday that falls during a period of exigency;

(ix) A staff member to whom compensation in the form of payment is due under paragraph (v) above may, at his/her request, be granted compensatory time off instead of payment, subject to the exigencies of service;

(x) The Director-General/Executive Director may require all staff members at the United Nations Office at Vienna/United Nations Office on Drugs and Crime headquarters to work on a holiday that falls during a period of exigency. In that event, he shall set another working day to be observed as the holiday and the holiday falling during the period of exigency shall be treated as a normal working day;

(xi) In the interest of the health of the staff and the efficiency of the service, supervisors shall not require a staff member to work more than 40 hours of overtime during any one month except where unusual exigencies of service so require;

(xii) The Director-General/Executive Director may prescribe special conditions and rates of overtime for groups of staff whose duties are normally performed according to a schedule other than the Monday to Friday five-day scheduled workweek or whose scheduled working hours differ considerably from those of the majority of the staff. If such staff are required to work on official holidays, the Director-General/Executive Director shall set another working day to be observed as the holiday, and the holiday falling during the period of exigency shall be treated as a normal working day.

V. Shift duties

Staff members working under shift duties will be excluded from the flexible working hours system. No compensation for overtime shall be granted to staff members in the General Service category working on shift duties, subject to the following exceptions:

(i) Compensatory time off or payment, as applicable, shall be allowed or made in respect of shift duties, only when the total time worked in a week exceeds the time of a normal working week, that is 40 hours, even if the shift covers night duty; and

(ii) Compensation as paid overtime in accordance with section IV above shall be granted when, in addition to the shift duties, work is required to be done on non-shift duties.

VI. Night differential

In accordance with Staff Rule 103.13, a night differential shall be paid to staff members assigned to a regular tour of duty, any part of which falls between 2000 hours and 0600 hours, at the following hourly rates for completed half-hours of work on a monthly basis:

(i) For staff members in the General Service category:

$$\frac{\text{Net base salary at staff member's grade and step}}{2080} \times .15$$

(ii) For staff in the Professional category:

$$\frac{\text{Net base salary at staff member's grade and step}}{2080} \times .10$$

Payments shall be reckoned to the nearest hour and work periods of less than one half-hour shall not be taken into consideration.

VII. On-call duty

Staff members in the General Service category who are required to carry out regular "on-call" duties shall be given compensatory time off at the following rates:

(i) For a normal working day on call, one hour;

(ii) For a Saturday, Sunday or official holiday on call, three and a half hours;

(iii) For a period on call on a normal working day, which does not cover the full day, five minutes for each completed hour;

(iv) For a period on call on a Saturday, Sunday or official holiday, which does not cover the full day, 10 minutes for each completed hour.

VIII. End-of-service allowance

Staff in the General Service category who separate from the United Nations Office at Vienna/United Nations Office on Drugs and Crime, may be paid end-of-service allowance in such amounts and subject to eligibility criteria as may be determined by the Director-General/Executive Director.